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# **Health Services and Development Agency Communique**

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**A MONTHLY PUBLICATION OF THE  
HEALTH SERVICES AND DEVELOPMENT AGENCY**

**Frost Building, Third Floor  
161 Rosa L. Parks Boulevard  
Nashville, TN 37243  
615.741.2364**

**MAY  
2013**

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**For Meeting verification/change or agenda information, please call  
the Agency Office or check our website at [www.tn.gov/hsda](http://www.tn.gov/hsda)**

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**HEALTH SERVICES & DEVELOPMENT AGENCY**

**Chair..... D. Lynn Johnson  
Vice-Chair .....Charlotte Burns  
Executive Director ..... Melanie Hill  
General Counsel ..... James B. Christoffersen**

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**Tennessee Department of Health  
Division of Policy, Planning and Assessment  
Health Statistics --- 615.741.1954**

**Tennessee Department of Mental Health and Substance Abuse Services  
Office of General Counsel --- 615.532.6520 or  
Main Office --- 615.532.6500**

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**Office Hours are 8:00 a.m. to 4:30 p.m., Central Time, Monday through Friday**

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## CALENDAR

**The Health Services and Development Agency will be closed in 2013 on the following days:**

Tuesday, January 1 – New Year's Day  
 Monday, January 21 – Martin Luther King Day  
 Monday, February 18 – President's Day  
 Friday, March 29 – Good Friday  
 Monday, May 27 – Memorial Day  
 Thursday, July 4 – Independence Day  
 Monday, September 2 – Labor Day

\* Monday, October 14 – Columbus Day *"substituted for the day after Thanksgiving at the Governor's discretion."*  
 Monday, November 11 – Veteran's Day  
 Thursday, November 28 – Thanksgiving Day  
 \* Friday, November 29 – *substituted for Columbus Day*  
 Wednesday December 25 – Christmas Day

<b>2013 REVIEW CYCLE</b>				
<b>2013 Cycle</b>	<b>Publication Dates- Letter of Intent</b>	<b>Application</b>	<b>HSDA Meeting Dates</b>	<b>* End of Appeal Period</b>
January 2013	12/01/12-12/10/12	5 days after Publication	03/27/13	04/11/13
February 2013	01/01/13-01/10/13	"	04/24/13	05/09/13
March 2013	02/01/13-02/10/13	"	05/22/13	06/06/13
April 2013	03/01/13-03/10/13	"	06/26/13	07/11/13
May 2013	04/01/12-04/10/13	"	07/24/13	08/08/13
June 2013	05/01/12-05/10/13	"	08/28/13	09/05/13
July 2013	06/01/12-06/10/13	"	09/25/13	10/10/13
August 2013	07/01/12-07/10/13	"	10/23/13	11/07/13
September 2013	08/01/12-08/10/13	"	11/20/13	12/05/13
October 2013	09/01/12-09/10/13	"	12/18/13	01/02/14
November 2013	10/01/12-10/10/13	"	01/22/14	02/06/14
December 2013	11/01/12-11/10/13	"	02/26/14	03/13/14

In the event that the last appropriate filing date falls on a Saturday, Sunday, or legal holiday, such filing should occur on the preceding business day.

\* Appeal deadline is 15 days after meeting date

### STATE OF TENNESSEE POLICY OF NON-DISCRIMINATION

PURSUANT TO THE STATE OF TENNESSEE'S POLICY OF NON-DISCRIMINATION, THE HEALTH SERVICES AND DEVELOPMENT AGENCY DOES NOT DISCRIMINATE ON THE BASIS OF RACE, SEX, RELIGION, COLOR, NATIONAL OR ETHNIC ORIGIN, AGE, DISABILITY OR MILITARY SERVICE IN ITS POLICIES OR IN THE ADMISSION OR ACCESS TO, OR TREATMENT OR EMPLOYMENT IN, ITS PROGRAMS, SERVICES OR ACTIVITIES.

EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION INQUIRIES OR COMPLAINTS SHOULD BE DIRECTED TO THE HEALTH SERVICES AND DEVELOPMENT AGENCY EEO/AA COORDINATOR OR OFFICER, HEALTH SERVICES AND DEVELOPMENT AGENCY, FROST BUILDING, THIRD FLOOR, 161 ROSA L. PARKS BOULEVARD, NASHVILLE, TN 37243. TELEPHONE NO.: 615/741-2364. ADA INQUIRIES OR COMPLAINTS SHOULD BE DIRECTED TO THE HEALTH SERVICES AND DEVELOPMENT AGENCY'S ADA COORDINATOR: JAMES CHRISTOFFERSEN, HEALTH SERVICES AND DEVELOPMENT AGENCY, FROST BUILDING, THIRD FLOOR, 161 ROSA L. PARKS BOULEVARD, NASHVILLE, TN 37243. TELEPHONE NO.: 615/741-2364.

# **HEALTH SERVICES AND DEVELOPMENT**

## **AGENCY**

### **MEETINGS**

**THSDA Meetings are scheduled to be held at  
8:30 a.m. CDT/CST  
at the following locations:**

**May – December**

**Legislative Plaza  
Room 12  
Sixth Avenue North & Union Street  
Nashville, TN**

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- \* Meeting locations are subject to change**
- \*\* All meetings of the Health Services and Development Agency are posted on the Agency's website at [www.tn.gov/hsda](http://www.tn.gov/hsda)**

#### **EXECUTIVE DIRECTOR'S ANNOUNCEMENTS:**

##### **PLEASE NOTE:**

In order that the Agency members may have sufficient time to review the meeting packet, please submit all support, rebuttal and comments for matters on the Agency's agenda no later than noon (Central Time) on the thirteenth day before the meeting at which that matter will be Heard. The parties are encouraged to provide 27 copies. In accordance with T.C.A., Section 68-11-1609(g)(1), any health care institution wishing to oppose a Certificate of Need application must file a written objection with the Agency and serve a copy on the applicant no later than fifteen days before the agency meeting at which time the application is originally scheduled.



## **APPLICATIONS HEARD AT THE APRIL MEETING**

There were no applications deemed complete on January 31, 2013. Therefore, no applications will enter into the February review cycle for the **April 24, 2013** Health Services and Development Agency Meeting.

## **APPLICATIONS TO BE HEARD AT THE MAY MEETING**

\*Tennessee Orthopedic Alliance, P.A.  
3000 Charlotte Avenue  
Nashville (Davidson County), TN 37210  
CN1302-004  
Contact Person: Jerry W. Taylor, Esq.  
Phone: 615-782-2228

### **CONSENT CALENDAR**

The relocation of two (2) MRI units from the current location of 301 21st Avenue North to 3000 Charlotte Avenue, Nashville (Davidson County), TN. The proposed service area is Davidson County. The estimated project cost is \$2,418,133.00.

NHC at Indian Path, LLC  
2300 Pavilion Drive  
Kingsport (Sullivan County), TN 37660-4622  
CN1212-059  
Contact Person: Bruce K. Duncan, Asst. Vice President  
Phone: 615-890-2020

### **DEFERRED FROM MARCH MEETING**

The replacement and relocation of the twenty-two (22) bed Indian Path Medical Center Transitional Care Unit and the addition of thirty (30)\* new Medicare certified skilled nursing home beds. The facility will relocate from Indian Path Medical Center at 2000 Brookside Drive to 2300 Pavilion Drive, Kingsport (Sullivan County), TN. The new facility will be licensed as NHC at Indian Path and will contain fifty-two (52) Medicare-only (skilled) nursing home beds. Estimated project cost is \$10,385,615.00.

\*These beds are subject to the 2012-2013 Nursing Home Bed Pool.

Spinal Health Care Associates, P.C.  
8132 Cordova Road, Suite 101  
Cordova (Shelby County), TN 38106  
CN1212-060  
Contact Person: E. Graham Baker Jr., Esq.  
Phone: 615-370-3380

### **DEFERRED TO AUGUST MEETING**

The establishment of a specialty ASTC providing only manipulation under anesthesia (MUA) services in one (1) procedure room in Cordova (Shelby County), TN. The estimated project cost is \$472,667.00.

Select Specialty Hospital-Memphis  
5959 Park Avenue  
Memphis (Shelby County), TN 38119  
CN1212-062  
Contact Person: John L. Wellborn, Consultant  
Phone: 615-665-2022

The addition of twenty-eight (28) long term acute beds to the existing thirty-nine (39) bed facility, located in leased space at St. Francis Hospital, 5959 Park Avenue, Memphis (Shelby County), TN. Select Specialty will also add ten (10) beds under the statutory exemption available to hospitals with less than 100 beds found at TCA § 68-11-107(g) for a total licensed bed complement of seventy-seven (77) long term acute care beds. If the additional twenty-eight (28) beds are approved, St. Francis Hospital will reduce its license by thirty-eight (38) beds (28 plus 10 beds per statutory exemption). The estimated project cost is \$6,898,392.00.

Life House, LLC  
570 State Street  
Cookeville (Putnam County), TN 38501  
CN1301-001  
Contact Person: Connie Mitchell, President  
Phone: 931-881-6417

The establishment of a ten (10) bed residential hospice. The estimated project cost is \$600,000.00.

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## **APPLICATIONS TO BE HEARD AT THE MAY MEETING**

Hendersonville Medical Center  
355 New Shackle Island Road  
Hendersonville (Sumner County), TN 37075  
CN1302-002  
Contact Person: John L. Wellborn  
Phone: 615-665-2022

### **DEFERRED TO JUNE MEETING**

The construction of a new 4th floor of medical/surgical beds and the initiation of neonatal intensive care services in a new 6-bed level II-B neonatal nursery on the main campus of Hendersonville Medical Center located in Hendersonville (Sumner County), TN. The hospital currently holds a single consolidated license for 148 general hospital beds, of which 110 are at its main Hendersonville campus and 38 are at its satellite campus at 105 Redbud Drive, Portland (Sumner County), TN. The project will relocate 13 beds from the satellite campus to the main campus, resulting in 123 licensed beds at the Hendersonville campus and 25 licensed beds at the Portland satellite campus. The estimated project cost is \$32,255,000.00.

Surgery Center of Lebanon  
Unaddressed site at the intersection of Blair Lane  
& Hwy 70  
Lebanon (Wilson County), TN 37087  
CN1302-003  
Contact Person: Keith Bolton, CEO  
Phone: 931-801-2558

The relocation of an approved but unimplemented certificate of need (CN0906-036) for a multi-specialty surgery center from 101 Physicians Way to an unaddressed site on the east side of Blair Lane, Lebanon (Wilson County), TN. The estimated project cost is \$2,212,467.00.

### **GENERAL COUNSEL'S REPORT**

Behavioral Healthcare Center at Memphis  
Memphis (Shelby County), TN  
CN0711-089A  
Contact Person: Jerry W. Taylor, Esq.  
Phone: 615-782-2200

Request for a twenty-four month extension of the expiration date from July 1, 2013 to July 1, 2015: This project was approved on May 28, 2008 for the establishment of a sixteen (16) bed mental health hospital and the initiation of inpatient psychiatric services. The inpatient beds and services will be focused on the geriatric population, and all sixteen (16) beds will be designated as geriatric psychiatric beds. The estimated project cost is \$6,663,901.00.

Horizon Health & Rehab Center f/k/a  
United Regional Medical Center Nursing Home  
Manchester (Coffee County), TN  
CN0707-061A  
Contact Person: William H. West, Esq.  
Phone: 615-726-5600

Request for modification to slightly alter site from the McArthur 23 site to 6.5 acres immediately adjacent to and contiguous to the McArthur 23 site: This project was approved on December 12, 2007 for the relocation and replacement of the existing licensed nursing home facility and the addition of thirty (30) new Medicare certified nursing home beds for a total of 102 nursing home beds. The estimated project cost is \$20,849.00.

West Tennessee Transitional Care  
Jackson (Madison County), TN  
CN1010-048A  
Contact Person: Jerry W. Taylor, Esq.  
Phone: 615-782-2200

Request for a three (3) month extension of the expiration date from June 1, 2013 to September 1, 2013: A three (3) month extension from March 1, 2013 to June 1, 2013 was granted at the December 12, 2012 meeting. This project was approved unanimously on January 26, 2011 for a change of site for the construction of a replacement facility and the relocation of the nursing home as approved by CN0905-023A. The estimated project cost is \$24,279.00.

## **APPLICATIONS TO BE HEARD AT THE JUNE MEETING**

\* LP Nashville II, LLC d/b/a Signature Healthcare  
of Nashville Rehabilitation & Wellness Center  
832 Wedgewood Avenue  
Nashville (Davidson County), TN 37203  
CN1304-012  
Contact Person: Michael D. Brent, Esq.  
Phone: 615-252-2361

### **CONSENT CALENDAR**

Hendersonville Medical Center  
355 New Shackle Island Road  
Hendersonville (Sumner County), TN 37075  
CN1302-002  
Contact Person: John L. Wellborn  
Phone: 615-665-2022

### **DEFERRED FROM MAY MEETING**

Tri-Cities Holdings LLC d/b/a Trex Treatment Center  
4 Wesley Court  
Johnson City (Washington County), TN 37601  
CN1303-005  
Contact Person: Steven W. Kester, Managing  
Member  
Phone: 404-664-2616

McKendree Village  
4347 Lebanon Road  
Hermitage (Davidson County), TN 37076  
CN1303-007  
Contact Person: Byron R. Trauger, Esq.  
Phone: 615-256-8585

The Farms at Bailey Station Skilled Nursing Facility  
Unaddressed site on Crooked Creek Road off  
Houston Levee Road  
Collierville (Shelby County), TN 38017  
CN1303-008  
Contact Person: Jerry W. Taylor, Esq.  
Phone: 615-782-2228

Cost overrun of approximately \$4,009,562.00 that occurred  
as a result of complications associated with implementing its  
previously approved Certificate of Need, CN1009-044A.  
The estimated project cost is \$4,009,562.00.

The construction of a new 4th floor of medical/surgical beds  
and the initiation of neonatal intensive care services in a new  
6-bed level II-B neonatal nursery on the main campus of  
Hendersonville Medical Center located in Hendersonville  
(Sumner County), TN. The hospital currently holds a single  
consolidated licensed for 148 general hospital beds, of which  
110 are at its main Hendersonville campus and 38 are at its  
satellite campus at 105 Redbud Drive, Portland (Sumner  
County), TN. The project will relocate 13 beds from the  
satellite campus to the main campus, resulting in 123  
licensed beds at the Hendersonville campus and 25 licensed  
beds at the Portland satellite campus. The estimated project  
cost is \$32,255,000.00.

The establishment of a nonresidential substitution-based  
treatment center for opiate addiction to be located at 4 Wesley  
Court, Johnson City, TN 37601. The estimated project cost is  
\$670,000.00.

The renovation, construction, and partial repositioning of fifty  
(50) existing dually certified beds in addition to the modification  
of CN1202-010A approved for thirty (30) dually certified nursing  
home beds. The nursing home's licensed bed complement of  
one hundred eighty (180) beds after implementation of  
CN1202-010A will not change. The estimated project cost is  
\$3,808,150.00.

The establishment of a skilled nursing facility consisting of thirty  
(30)\* Medicare certified skilled nursing beds to be part of a  
continuing care retirement community (CCRC). The estimated  
project cost is \$7,301,961.00.

\*These beds are subject to the 2012-2013 Nursing Home Bed  
Pool.

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## **APPLICATIONS TO BE HEARD AT THE JUNE MEETING**

Maxwell Aesthetics, PLLC  
2020 21st Avenue South  
Nashville (Davidson County), TN 37212  
CN1303-009  
Contact Person: E. Graham Baker, Jr., Esq.  
Phone: 615-370-3380

The construction, development and establishment of an ambulatory surgical treatment center (ASTC) limited to plastic surgery with one (1) operating room. The estimated project cost is \$1,322,564.00.



## **APPLICATIONS TO BE HEARD AT THE JULY MEETING**

Medical Care, PLLC  
1500 West Elk Avenue  
Elizabethton (Carter County), TN 37643  
CN1303-006  
Contact Person: Rachel C. Nelley, Esq.  
Phone: 615-274-4838

The initiation of magnetic resonance imaging (MRI) services for the patients of Medical Care, PLLC and the acquisition of a MRI unit at 1500 West Elk Avenue, Elizabethton (Carter County), Tennessee 37643. The estimated project cost is \$838,543.00.

Community Hospices of America-Tennessee, LLC  
d/b/a Hospice Compassus-The Highland Rim  
1805 N. Jackson Street, Suites 5 & 6  
Tullahoma (Coffee County), TN 37388  
CN1303-010  
Contact Person: Kim H. Looney, Esq.  
Phone: 615-850-8722

The initiation of hospice services in Lincoln County. The estimated project cost is \$28,000.

Summit Medical Center  
5655 Frist Boulevard  
Hermitage (Davidson County), TN 37076  
CN1304-011  
Contact Person: John L. Wellborn, Consultant  
Phone: 615-665-2022

To convert eight (8) inpatient psychiatric beds to medical surgical beds, and convert twelve (12) inpatient psychiatric beds into a new twelve (12) bed acute inpatient rehabilitation unit at the campus of TriStar Summit Medical Center. The estimated project cost is \$4,933,576.00.

Wellmont Cardiology Services, Inc.  
2050 Meadowview Parkway  
Kingsport (Sullivan County), TN 37660  
CN1304-013  
Contact Person: John L. Wellborn, Consultant  
Phone: 615-665-2022

The initiation of cardiac PET services by acquiring an existing PET system located in Gray, Tennessee and relocating the unit to 2050 Meadowview Parkway, Kingsport (Sullivan County), TN 37660. The applicant will establish an outpatient diagnostic center (ODC) if required by the Tennessee Department of Health. The estimated project cost is \$1,074,000.00.

Molecular Imaging Alliance  
701 N. State of Franklin Road, Suite 1  
Johnson City (Washington County), TN 36404  
CN1304-014  
Contact Person: John L. Wellborn, Consultant  
Phone: 615-665-2022

The relocation of an Outpatient Diagnostic Center (ODC) with cardiac PET scanning from 830 Suncrest Drive, Suite 1, Gray (Washington County), TN to 701 N. State of Franklin Road, Suite 1, Johnson City (Washington County), TN. The estimated project cost is \$495,339.

## **APPEALS OF AGENCY DECISIONS**

<b><u>FACILITY</u></b>	<b><u>DOCKET #</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>Meeting Date</u></b>
Baptist Memorial Hospital-Huntingdon Huntingdon, Carroll County CN1205-021A	25.00-118927J	Appeal of Approval of CON	9/26/2012
The Center for ENT, Laser & Cosmetic Surgery, LLC Shelbyville, Bedford County CN1210-054D	25.00-120664J	Appeal of Denial of CON	2/27/2013
Critical Nurse Staffing, Inc. Oak Ridge, Anderson County CN1210-049D	T.B.A.	Appeal of Denial of CON	1/23/2013
East Tennessee Radiation Therapy Services Knoxville, Knox County CN1108-030A	25.00-115208J	Appeal of Approval of CON	12/14/2011
HealthSouth Rehabilitation Hospital of Williamson County Franklin, Williamson County CN1012-059A	25.00-111868J	Appeal of Approval of CON	3/23/2011
Middle Tennessee Rehabilitation Hospital, LLC Franklin, Williamson County CN1012-055D	25.00-111868J	Appeal of Denial of CON	3/23/2011

## **NOTES:**

# **Health Services and Development Agency**

## **Members**

**D. Lynn Johnson**  
(Consumer, Speaker of the House)

**Charlotte C. Burns**  
(Hospital)

**Claudia H. Byrd**  
(Consumer, Speaker of the Senate)

**Robert Doolittle**  
(Consumer, Governor)

**Barrett G. Haik, M.D.**  
(Physician)

**Thom Mills**  
(Home Care)

**William Southwick**  
(Ambulatory Surgical Treatment Centers)

**James L. Wright**  
(Nursing Home)

**Keith Gaither, Designee**  
for Director of TennCare  
**Darin J. Gordon**

**Lisa Jordan, Designee**  
for Commerce & Insurance Commissioner  
**Julie Mix McPeak**

**Elisha Hodge, Designee**  
for Comptroller  
**Justin Wilson**

